IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

GUARDIANSHIP PETITION NO.104 OF 2005

In the matter of (1) Namrata Ramesh Mane (2) Kundan Ramesh Mane, minors.

Smt.Gayabai Waman Mane. ..Petitioner.

Ms.B.B.Dholakia for Petitioner.

CORAM: A.M.KHANWILKAR,J

DATE : SEPTEMBER 28, 2005.

P.C. :

1. Heard counsel for the petitioner. Petitioner is paternal grandmother of the minors. Both the parents of the minors have died. Minors are presently under the care and custody of the petitioner since 4th February, 2003. This petition is for appointment of petitioner as guardian without remuneration and without securities in respect of the property and person of minors. As minors are under care and custody of the petitioner and petitioner is paternal grand mother of the minor, in the interest of the minors, petition deserves to be allowed. This is so because no objection has been received from any quarter, inspite of issuance of notice. Accordingly, petition is made absolute in terms of prayer clause

(a) to (f) which read thus:

(a) Notice under Section 11 of the Guardianship and Wards Act VIII of 1980 may be dispensed with; and

(b) The Petitioner herein be appointed as Guardian without remuneration and without security in respect of the property and person of the said minors (1) Namrata Ramesh Mane and (2) Kundan Ramesh Mane; and

(c) The Regional Provident Fund Commissioner, Mumbai be directed by an Order of this Hon'ble Court to forthwith deposit the amount of Provident Fund including interest accrued thereon standing to the credit of the said deceased Ramesh Waman Mane, with the Accounts Officer, High court, Bombay; and

(d) The Accounts Officer, High court, Bombay be directed to open separate accounts in the names of the minors (1) Namrata Ramesh Mane and (2) Kundan Ramesh Mane and invest the amount in any Nationalised Bank in the Fixed Deposits for a period of 36 months and to renew the same for a similar period till the said minors attain age of majority and to pay the

interest every six months to the Petitioner as guardian of the said minors for their welfare, education and maintenance; and

(e) The Regional Provident Fund Commissioner, Mumbai be directed by an Order of this Hon'ble Court to forthwith pay the arrears of Pension for the period July, 2002 to July,2005 directly to the Petitioner for the welfare and maintenance of the said minors; and

(f) The Regional Provident Fund Commissioner, Mumbai be directed by an Order of this Hon'ble Court to pay the monthly pension @ Rs.541/- per month directly to the Petitioner every month for the welfare and maintenance of the said minors.

. Ordered accordingly.